

08-01-05

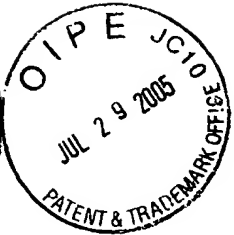
11/1536

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/724,822
		Filing Date	November 28, 2000
		First Named Inventor	Matthew D. LINNIK
		Art Unit	1636
		Examiner Name	C. X. Qian
Total Number of Pages in This Submission	8 + 26 References	Attorney Docket Number	252312007400

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 Pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB/08a/b + copy (4 pages) Twenty-Six (26) References Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature	<i>Catherine M. Polizzi</i>		
Printed name	Catherine M. Polizzi		
Date	July 29, 2005	Reg. No.	40,130

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 333857151 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 29, 2005

Signature:

Georgina Matos

(Georgina Matos)

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Dated: July 29, 2005

Signature:

Georgina Matos
(Georgina Matos)

Patent

Docket No. 252312007400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Matthew D. LINNIK et al.

Examiner: C. Qian

Group Art Unit: 1636

Serial No.: 09/724,822

Filing Date: November 28, 2000

For: METHODS OF TREATING LUPUS
BASED ON ANTIBODY AFFINITY
AND SCREENING METHODS AND
COMPOSITIONS FOR USE THEREOF

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of non-patent documents are submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Included in this submission are press releases issued by La Jolla Pharmaceutical Company pertaining to Riquent (abetimus sodium; also formerly known as LJP 394). LJP 394 is referred to in the specification and relates to methods described and claimed. Also included in this submission are: (1) an Office Action in co-owned, co-pending application U.S. Serial No. 10/144,391; (2) an Office Action in co-owned, co-pending application U.S. Serial No. 10/219,238; (3) an Office Action in co-owned application U.S. Serial No. 09/457,875, which was abandoned in favor of a continuation; (4) an Office Action in co-owned application U.S. Serial No. 09/766,365 (continuation of U.S. Serial No. 09/457,875), which was abandoned in favor of a continuation.

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 252312007400.

Dated: July 29, 2005

Respectfully submitted,

By 

Catherine M. Polizzi

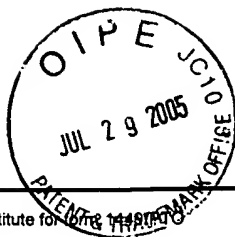
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ALTERNATIVE TO PTO/SB/08a/b (06-03)

Substitute for PTO/SB/08a/b INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	09/724,822	
			Filing Date	November 28, 2000	
			First Named Inventor	Matthew D. LINNIK	
			Art Unit	1636	
			Examiner Name	C. Qian	
Sheet	1	of	2	Attorney Docket Number	252312007400

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-2002/0082400-A1	06-27-2002	Coutts et al.	
	2.	US-2002/0107389-A1	08-08-2002	Coutts et al.	
	3.	US-2002/0110535-A1	08-15-2002	Jones	
	4.	US-2003/0103990-A1	06-05-2003	Coutts et al.	
	5.	US-2003/0162953-A1	08-28-2003	Coutts et al.	
	6.	US-2004/0208864-A1	10-21-2004	Strand et al.	
	7.	US-2004/0224366-A1	11-11-2004	Jones et al.	
	8.	US-2004/0258683-A1	12-23-2004	Linnik et al.	
	9.	US-2005/0004351-A1	01-06-2005	Marquis et al.	
	10.	US-2005/0026856-A1	02-03-2005	Coutts et al.	
	11.	US-2005/0031635-A1	02-10-2005	Coutts et al.	
	12.	US-6,858,210-B1	02-22-2005	Marquis et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	13.	La Jolla Pharmaceutical Company Press Release. (August 2, 2004). "La Jolla Pharmaceutical Reaches Agreement with Cardio-Renal Division of FDA Regarding Phase 4 Trial Design Under Special Protocol Assessment," San Diego, CA, 3 pages.		
	14.	La Jolla Pharmaceutical Company Press Release. (October 14, 2004). "La Jolla Pharmaceutical Company Receives Letter From FDA About Riquent," San Diego, CA, 2 pages.		
	15.	La Jolla Pharmaceutical Company Press Release. (November 23, 2004). "La Jolla Pharmaceutical Company Provides Update on Riquent Program," San Diego, CA, 3 pages.		
	16.	La Jolla Pharmaceutical Company Press Release. (March 14, 2005). "La Jolla Pharmaceutical Announces Outcome of Recent FDA Discussions," San Diego, CA, 2 pages.		
	17.	La Jolla Pharmaceutical Company Press Release. (May 31, 2005). "La Jolla Pharmaceutical Company Provides Update on Riquent," San Diego, CA, 3 pages.		
	18.	Office Action mailed on July 18, 2000 for U.S. Patent Application No. 09/457,875, 7 pages.		
	19.	Office Action mailed on October 5, 2001 for U.S. Patent Application No. 09/766,365, 5 pages.		
	20.	Office Action mailed on January 14, 2005 for U.S. Patent Application No. 10/144,391, 11 pages.		
	21.	Office Action mailed on February 22, 2005 for U.S. Patent Application No. 10/219,238, 13 pages.		

Examiner Signature	Date Considered
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pa-997881

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/724,822
				Filing Date	November 28, 2000
				First Named Inventor	Matthew D. LINNIK
				Art Unit	1636
				Examiner Name	C. Qian
Sheet	2	of	2	Attorney Docket Number	252312007400

	22.	U.S. Patent Application No. 10/846,079, filed May 13, 2004 by Victoria et al.	
	23.	U.S. Patent Application No. 10/957,198, filed October 1, 2004 by Barstad et al.	
	24.	U.S. Patent Application No. 11/073,332, filed March 4, 2005 by Jones.	
	25.	U.S. Patent Application No. 11/144,155, filed June 2, 2005 by Engle et al.	
	26.	U.S. Patent Application No. 11/149,779, filed June 10, 2005 by Jones.	

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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